

All corrections to notes on this calendar must be filed no later than 12 P.M. (noon) on 7-14-04. Documents filed after this time will not be reviewed before the hearing and will likely result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RC RS00189

CASE NAME: IN THE MATTER OF EVANGELINA E HERNANDEZ

HEARING:
Accounting Review

COUNSEL:
ROBERT D HERNANDEZ (PET)...JOHN SCHESSLER
EVANGELINA ESTRADA HERNANDEZ (PCE)...

GENERAL INFORMATION Matter has been continued 6 times. Court has cited the petitioner into court for hearing on 10-23-03. Petitioner has appeared but has failed to comply with court ordered accounting.

THIS CASE IS SET FOR HEARING ON accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
1. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required the court shall cause notice to be given to conservator or guardian and attorney. The court shall set the accounting for hearing within 60 days. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr. C § 2620.2.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RC RS00427

CASE NAME: CLARA K LOEHNER

HEARING:
1ST ACCT CURRENT & REPORT

COUNSEL:
PAUL P PODUSKA (PET)...DENNIS M ASSURAS
CLARA K LOEHNER (PCE)...DONNASUE SMITH-ORTIZ

GENERAL INFORMATION The conservatorship was established 1-03. The billings for services in this case begin in 11-02. The Conservatee was hospitalized and according to the report has remained hospitalized since that time. The accounting covers 1-14-03 through 1-13-04.

THIS CASE IS SET FOR HEARING ON 1st account current.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The Conservator spends several pages of this report advising the court about how much effort he had to put into this case after this mother was hospitalized. How he saved her from financial ruin. How he saved his mother's life several times because the hospital was incompetent. It should be noted that the total value of the estate is \$397,762.73 of which \$390,000 represents the real property. The Conservator then requests that he be reimbursed for mileage in the amount of \$1,361.44. However the itemization presented for the time during the accounting period only shows 2,314.3 miles at .36 per mile for a total of \$832.78. The remainder was apparently incurred prior to the establishment of conservatorship. It should be noted that Local Rule of Court Rule 1406(g) specifically precludes reimbursement for ordinary mileage incurred by the Conservator. Petitioner also requests that he be paid \$79,723.73 representing 1,810.48 hours at \$50 per hour. There is nothing in the report that indicates why the petitioner should be paid at a rate of \$50 per hour.
2. Petitioner also paid 2 friends to assist him in his work. He does not specifically set out for what service they were paid, but merely asks the court to approve the

payments. There is a 39 page document included with the report entitled "First Accounting Loehnher Conservatorship: Services and Extraordinary Services and Fees Report". It cannot be determined if these are the services that he feels he and others should be paid for or if these were actual payments.

3. In the disbursement portion of the accounting there are aggregate items listed. For example, at the end of each month is a charge of \$350 for supplies, food, maintenance & repairs to Conservatee's car. If Conservatee is hospitalized who is the food for? What supplies is Conservator talking about? And if Conservatee's car needs monthly repairs whose car was Conservator driving when he accumulated the mileage for which he requests reimbursement?
4. There are also entries such as "1/03 Egan/Hrovat, services to Conservatee; repairs to home \$400". We have no way of knowing what services were rendered to Conservatee and what is attributable to home repair. Also we have no way of knowing what home repair was done.
5. There are also a large number of bill payments indicating overdue payment. Who incurred the bills?
6. The Conservator is living in the Conservatee's home. It is not clear when he moved into the home. Since he moved in he has completely renovated the home. He feels that his renovations should be offset against any rent that he should have been required to pay. It would appear from the disbursements that the estate has paid for the costs of supplies for all repairs. And the estate may well have paid for the actual repairs.
7. On 11-03 it is indicated that documents were sent to the broker "for refinancing". Who authorized refinancing?
8. There are multiple entries of "Barnes and Noble, book for Conservator". Explain.
9. There is no schedule A. What were the income/receipts?
10. Who authorized making political contributions with estate assets?
11. Pr.C. § 2620 was amended on 1-1-02. It is now necessary to provide original bank or investment statements on accountings for all conservatorships and guardianships. Only a photocopy was provided.
12. Attorney fee request appears to be in error. Attorney indicates that he has previously been ordered paid \$6,900. He then says that he spent 20 hours at \$200 per hour for a total of \$4,000. However in the prayer he requests \$6,900. Please provide itemization and please clarify.
13. Attorney also request fees for his paralegal of \$2,595 representing 25.75 hours at \$100 per hour. Time is only summarily itemized. Court should require a full itemization. Additionally the amount of \$100 per hour is generally deemed excessive for a paralegal. The normal hourly rate for paralegals in this area is \$65-\$75 per hour.
14. There are virtually no cash assets. How are fees to be paid?
15. Court may also wish to revisit the issue of bond. There is no bond in place at this time.

RECOMMENDATION:

Court has previously appointed Attorney Smith-Ortiz to represent the Conservatee. The accounting in the case is defective and the request fees is extensive. Recommend that the

court request Ms. Smith-Ortiz review the documents and present a report and recommendation to the court as to what is in the best interests of the Conservatee.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RC RS00433

CASE NAME: RUTH MAE JENIK

HEARING:
Hearing Re: 1ST ACCOUNTING (INCLUDING INVESTMENT ACCOUNTS).

COUNSEL:
PETER WAYNE JENIK (PET)...SUZANNE M GRAVES
RUTH MAE JENIK (PCE)...

GENERAL INFORMATION continued from 3-23 and 5-25-04. On 5-25-04 the court advised that that was to be the last continuance. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter is set for accounting review. No accounting has been filed. Clerk has given notice.

RECOMMENDATION:

When an accounting is not filed as required the court shall cause notice to be given to conservator or guardian and attorney. The court shall set the accounting for hearing within 60 days. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr. C § 2620.2.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RG RS00373

CASE NAME: IN THE MATTER OF KALIE SOMMERS GARNESS

HEARING:
Accounting Review

COUNSEL:
JAMES HUGH GARNESS (PET)...JOHN C MADDUX
KALIE SOMERS GARNESS (DEC)...
JAMES ROY GARNESS (PG)...JOHN C MADDUX

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed. Clerk has given notice.

RECOMMENDATION:

When an accounting is not filed as required the court shall cause notice to be given to conservator or guardian and attorney. The court shall set the accounting for hearing within 60 days. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr. C § 2620.2.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RG RS00449

CASE NAME: IN THE GUARDIANSHIP OF SHAUNAK M PATEL-PRIANKA

HEARING:
THIRD ACCT CURRENT & REPORT

COUNSEL:
KALAVATI R PATEL AND ILABEN PA(PET)...BERNARD NEWMAN

GENERAL INFORMATION Continued from 6-8-04. Nothing new filed.

THIS CASE IS SET FOR HEARING ON 3rd account current.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The carry figure from each of the minor's accounts does not comport with the figure set forth in the summary of account. Each of the accounts report less than the final figure from the second account. See green tabs in file.
2. The current accounting admits to be off by \$99.78 for Shaunak, \$20.67 for Prianka and \$14.22 for Dillon. Based on the carry figures it would appear they are off by a significantly higher amount.
3. Attorney has filed a 24 page declaration indicating why he should be entitled to \$15,547.50 in fees. He charges \$225 per hour with a minimum time of .2 charged for any action taken. Judge to decide.
4. Petitioners waive fees.
5. Petitioners request that the court allow them to take \$15,400 from the blocked account of each minor as long as they receive Social Security and \$25,000 if they don't receive Social Security. This order has been previously approved through out the guardianship.

RECOMMENDATION:

If my understanding of the carry values is correct then the accounts are significantly off. The court may wish to obtain clarification on these issues. Judge will need to decide the issue of attorney fees.

If petition granted court will have to set future dates. Set hearing for next accounting for 3-7-06, to cover 1-1-04 to 12-31-05.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RG RS00835

CASE NAME: ANGEL ALSTON

HEARING:
Petition for Termination of Guardianship

	COUNSEL:
OPAL S DESNET	(PET)...VINCENT
ANGEL ALSTON	(MIN)...SISSIE L BARKER
LOLA ALSTON	(PET)...PRO/PER
TRENA ANDREWS	(PET)...PRO/PER

BARRY ESKIN	(TP)...PRO/PER	
HARRY E ALSTON III	(PRO/PER)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition to terminate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the guardian. She contends that she can no longer care for the minor.
She further contends that the mother is now capable of caring for the minor.
2. Notice appears completed.

RECOMMENDATION:
None.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RG RS01257

CASE NAME: CANDIE AND CARMENCITA ESCALANTE

HEARING:
Accounting Review

COUNSEL:
MARIA ESCALANTE (PET)...PRO/PER
CANDIE ESCALANTE (MIN)...
CARMENCITA ESCALANTE (MIN)...

GENERAL INFORMATION Continued from 4-20-04. Clerk has given notice. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required the court shall cause notice to be given to conservator or guardian and attorney. The court shall set the accounting for hearing within 60 days. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr. C § 2620.2.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RG RS01283

CASE NAME: DANIEL AND ARIANA PARISI

HEARING:
Petition for Termination of Guardianship

COUNSEL:
DANIEL ANTHONY PARISI SR (PET)...PRO/PER
FRANCISCA PARISI (PET)...PRO/PER
DANIEL ANTHONY PARISI III (MIN)...
ARIANA J PARISI (MIN)...SISSIE BARKER
COURT INVESTIGATOR (TP)...PRO/PER
JANETTE VALERIE PARISI (PRO/PER)...PRO/PER

GENERAL INFORMATION Continued from 2-17, 3-30-04 and 5-25-04. Mother allowed telephonic visitation. Nothing new filed.

THIS CASE IS SET FOR HEARING ON petition to terminate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the mother. She indicates that she is now clean and sober and can care for her children.
2. Court referred the matter to the Court Investigator for report and recommendation. We are awaiting report.
3. Matter also referred to F.C.S. Report is in the file.

RECOMMENDATION:
None.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RG RS01423

CASE NAME: KIERRA LA SHREWA OWENS

HEARING:
Petition for Appointment of Guardian

COUNSEL:
GLENMORE CLARKE FLOWERS (PET)...PRO/PER
KIERRA LA SHREWA OWENS (MIN)...

GENERAL INFORMATION Temporary letters issued 1-21-04. Continued from 3-16-04, 4-20-04 and 5-25-04. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by paternal grandmother, minor 14.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Father has been served by mail. He is in prison in Nebraska. This is permissible if it is sent certified, return receipt requested, in the absence of a court order allowing regular mail.
2. Mother has been served by mail only. Must file proof of personal service.
3. Petition indicates that the maternal grandmother is unmarried. This does not indicate that the maternal grandfather is unknown. Court may wish to clarify.
4. Court may wish to review the confidential screening form.

RECOMMENDATION:

Court will need to rule on the adequacy of notice to father and whether notice to maternal grandfather is dispensed.

Rancho Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 9:30 DEPT: R15P

CASE #: RG RS01441

CASE NAME: YI-HSUAN TSAO

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

SHOU-PING CHEN

(PET)...LAY OFFICE OF VINCENT Y. LIN

YI-HSUAN TSAO

(MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The letters were not issued until 5-10-04. Hence, inventory and appraisal is not due until 8-10-04. No inventory and appraisal filed to date.

RECOMMENDATION:

Continue matter to first available date after 8-10-04.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KATRINA WEST

DATE: 07/20/04 TIME: 10:30 DEPT: R15P

CASE #: RC RS00213

CASE NAME: ESTHER B. HEIMDAHL

HEARING:
3RD ACCT CURRENT & REPORT

COUNSEL:
MARTHA C SLAVIN (PET)...ALTHOUSE & MCDONOUGH
ESTHER B HEIMDAHL (PCE)...DONNASUE SMITH-ORTIZ

GENERAL INFORMATION covers 1-1-02 through 12-31-03.

THIS CASE IS SET FOR HEARING ON 3rd accounting and report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Bond is currently set in the amount of \$600,000. Petitioner requests that bond be reduced to \$550,000. It would appear that based on assets on hand and income the bond should be \$566,000.
2. Conservatee is given an allowance of \$150 per month and petitioner requests permission to continue the allowance.
3. Attorney requests fees of \$3,422.50 representing 11.9 hours of attorney time at \$200/hr. and 13.9 hours at \$75/hour paralegal time. Amount is itemized.
4. Is petitioner waiving fees? File supplement.
5. File original signature on verification.
6. Pr.C. § 2620 was amended on 1-1-02. It is now necessary to provide original bank or investment statements on accountings for all conservatorships and guardianships. We have only photocopies.
7. Accounting looks ok.

RECOMMENDATION:

Recommended for approval subject to numbers 1, 4, 5 and 6. Set hearing for next accounting for 3-7-06, to cover 1-1-04 through 12-31-05.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RC RS00010

CASE NAME: ALICE SYLVIA GARCIA

HEARING:
FIFTH and Final Account and Report.

COUNSEL:
RAMONA R GUTIERREZ (PET)...DONNASUE SMITH-ORTIZ
BRENDA DAVIS (PET)...DONNASUE SMITH-ORTIZ
ALICE SYLVIA GARCIA (PCE)...

GENERAL INFORMATION covers 3-16-00 through 11-03.

THIS CASE IS SET FOR HEARING ON 5th and final accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Court waived future accountings on 8-25-00.
2. Conservatee died on 10-19-03.
3. Conservatee assets are such that a waiver of final accounting pursuant to Pr. C. §§ 2323 and 2628 is appropriate. Total assets on hand are \$853.99.
4. Attorney fees are \$1,012.50. However, attorney waives all but \$800.
5. Assets remaining after payment of attorney fees are insufficient to warrant a probate. Remaining assets will be turned over to petitioners as the sole heirs.
6. File order after hearing.

RECOMMENDATION:
Recommended for approval

Superior Court of Calif, County of San Bernardino

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Rancho Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RC RS00300

CASE NAME: JEANNE MARIE FLYNN

HEARING:

Hearing Re: FINAL ACCOUNTING & TERM OF GUARDIANSHIP.

COUNSEL:

KELLI ANN LINDSTROM	(PET)...	GASSNER & GASSNER
JEANNE MARIE FLYNN	(PCE)...	ELIZABETH MCDONOUGH
MARY BLACKMON	(PET)...	JOHN D LUECK
EILENE DEROSE	(PET)...	JOHN D LUECK
JEAN RICE	(PCR)...	THOMAS J GAFNEY
SHEILA ESQUIVEL	(PCR)...	
SHEILA ESQUIVEL	(PCR)...	JOHN D LUECK
REILLY FLYNN	(OBJ)...	ELIZABETH F COURTNEY
MICHELE QUIGLEY	(SCOTT GROSSMAN)...SCOTT GRO
STEPHEN FLYNN	(PRO/PER)...PRO/PER

GENERAL INFORMATION No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RC RS00300

CASE NAME: JEANNE MARIE FLYNN

HEARING:

Petition for payment of attorney's fees and costs by Donnasue
Smith Ortiz

COUNSEL:

KELLI ANN LINDSTROM	(PET)...	GASSNER & GASSNER
JEANNE MARIE FLYNN	(PCE)...	ELIZABETH MCDONOUGH
MARY BLACKMON	(PET)...	JOHN D LUECK
EILENE DEROSE	(PET)...	JOHN D LUECK
JEAN RICE	(PCR)...	THOMAS J GAFNEY
SHEILA ESQUIVEL	(PCR)...	
SHEILA ESQUIVEL	(PCR)...	JOHN D LUECK
REILLY FLYNN	(OBJ)...	ELIZABETH F COURTNEY
MICHELE QUIGLEY	(SCOTT GROSSMAN)...SCOTT GRO
STEPHEN FLYNN	(PRO/PER)...PRO/PER

GENERAL INFORMATION No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RC RS00300

CASE NAME: JEANNE MARIE FLYNN

HEARING:
Accounting Review

COUNSEL:

KELLI ANN LINDSTROM	(PET)...	GASSNER & GASSNER
JEANNE MARIE FLYNN	(PCE)...	ELIZABETH MCDONOUGH
MARY BLACKMON	(PET)...	JOHN D LUECK
EILENE DEROSE	(PET)...	JOHN D LUECK
JEAN RICE	(PCR)...	THOMAS J GAFNEY
SHEILA ESQUIVEL	(PCR)...	
SHEILA ESQUIVEL	(PCR)...	JOHN D LUECK
REILLY FLYNN	(OBJ)...	ELIZABETH F COURTNEY
MICHELE QUIGLEY	(SCOTT GROSSMAN)...SCOTT GRO
STEPHEN FLYNN	(PRO/PER)...PRO/PER

GENERAL INFORMATION No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RC RS00450

CASE NAME: ERNA BEHN HAKANSON

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
BRENDA TEPICH (PET)...ROBBINS & HOLDAWAY
ERNA BEHN HAKANSON (PCE)...CHRISTINA FERRANTE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No inventory and appraisal has been filed. Clerk has given notice.

RECOMMENDATION:

Suggest the court suspend powers and set the matter for an O.S.C. re failure to file required documents and sanctions. Issue a citation and have it personally served on administrator.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RC RS00452

CASE NAME: JAMES ARNOLD HUEY

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MILDRED JARREL (PET)...ROBBINS & HOLDAWAY
JAMES ARNOLD HUEY (PCE)...CHRISTINA FERRANTE

GENERAL INFORMATION: Continued from 1-6-04, 3-2-04 and 5-11-04.

THIS CASE IS SET FOR HEARING ON Petition for conservatorship of the person only.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Dementia powers are sought. Court has appointed Attorney Ferrante to represent the Conservatee.
2. Capacity declaration does not support the dementia powers request.
3. The petitioner has filed an amendment to the petition for conservatorship and has now requested medical powers. The capacity declaration would support this requested power.

RECOMMENDATION:

None.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RC RS00452

CASE NAME: JAMES ARNOLD HUEY

HEARING:
Petition for ATTORNEY'S FEES & COURT DETERMINATION OF CONTINUED
REPRESENTATION

COUNSEL:
MILDRED JARREL (PET)...ROBBINS & HOLDAWAY
JAMES ARNOLD HUEY (PCE)...CHRISTINA FERRANTE

GENERAL INFORMATION Continued from 6-15-04. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for attorney fees and court determination
of continued representation.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition for conservatorship has not yet been ruled on. Per local rule of court an appointed attorney's service continues until the hearing for which he/she is appointed. (Local Rule of Court § 1402.)
2. This was a petition for conservatorship of the person only with an indication in the file that Conservatee had -0- assets. This would mean that Conservatee has no assets with which to pay the attorney. Attorney would then have to apply to the court using the court form at the court appointed rates. The attorney has requested \$875. Representing 3.5 hours at \$250 per hour. The court does not pay \$250 per hour.

RECOMMENDATION:
Petition denied without prejudice.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RG RS01008

CASE NAME: *MF* RANDY AND RUDY JOHNSON

HEARING:
Petition for APPOINTMENT OF GUARDIAN 07/20/04

COUNSEL:
JOSEPHINA GARCIA (PET)...PRO/PER
RANDY JOHNSON (MIN)...
RUDY JOHNSON (MIN)...
MARK KIRK (OBJ)...PRO/PER

GENERAL INFORMATION: There is an existing guardianship in file RG 01008. Petitioner filed a petition for guardianship in RG 01409 and a petition to remove the guardian in this file. The court consolidated the matters under file RC 01008. The guardian has consented to the establishment of this guardianship. However, the court will have to remove the soon to be former guardian before there is an opening.

Matter was continued to this date for filing of D.C.S. report and proof of registration as a professional guardian. The minute order indicates that Mark Kirk showed proof that he was a "professional monitor". I am not quite certain what that is. At any rate, the court appointed him temporary guardian. Matter continued for the D.C.S. report. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by friend, minors 15 and 15.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is not related to the minors. D.C.S. report required.
2. See due diligence declarations as to father and mother.
3. Will need to provide proof of registration as a profession guardian.

4. Court may wish to review confidential screening form.

RECOMMENDATION:

None.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RG RS01324

CASE NAME: BILLY S DOWNS III

HEARING:
Hearing Re: STATUS/ DISPO RESET.

COUNSEL:
CYNTHIA VILLAPANDO (PET)...PRO/PER
BILLY S DOWNS III (MIN)...SISSIE BARKER
COURT INVESTIGATOR (AGN)...PRO/PER
ANNELISE GUILLEN (MOT)...SCHENCK & EDELMAN

GENERAL INFORMATION No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RG RS01492

CASE NAME: JULIAN RAYMOND GONZALES

HEARING:
Petition for Appointment of Guardian

COUNSEL:
SANDRA M NAVARRO (PET)...RICHARD N BUBEL
JULIAN RAYMOND GONZALES (MIN)...

GENERAL INFORMATION There is a custody battle going on in case RFL 03369. This case will have to be coordinated with that case. Temporary letters issued 6-9-04.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by paternal grandmother, minor 6.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter has been referred to F.C.S. We are awaiting report.
2. Father is apparently objecting.
3. File notice of hearing and proof of service per order prescribing notice.
4. Court may wish to review the confidential screening form.

RECOMMENDATION:
None.

Rancho Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE JANET M FRANGIE

DATE: 07/20/04 TIME: 9:30 DEPT: R16P

CASE #: RG RS01496

CASE NAME: JOSHUA KENNETH CAMERON

HEARING:

Petition for Appointment of Guardian

COUNSEL:

ISABEL F DAUGHTERS (PET)...HEIDI H ROMEO

JOSHUA KENNETH CAMERON (MIN)...

GENERAL INFORMATION Temporary letters issued 6-15-04.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by maternal grandmother, minor 6.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service per order prescribing notice.
2. Parents are apparently objecting, per the exparte minute order.
3. Matter has been referred to F.C.S. We are awaiting report.

RECOMMENDATION:

Court should order parents to file written objections.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS00783

CASE NAME: ESTATE OF PATRICIA ANN SUBSARO

HEARING:
FIRST ACCT CURRENT & REPORT

COUNSEL:
WILLIAM A SHANE (PET)...RALPH K HEKM AN
PATRICIA A SUBSARO (DEC)...

GENERAL INFORMATION: This matter is continued from 10-14-03 and 12-16-03. The matter was continued to 5-18-04 at the request of counsel to complete the administration. On 5-18-04 the court ordered that all claims were to be accepted or rejected no later than 6-30-04. Court continued the matter to 7-20-04 and indicated that this would be the last continuance. Nothing new has been filed. The notes below are the notes from the hearing on 12-16-03.

THIS CASE IS SET FOR HEARING ON first account current.

1. THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED: Petitioner requests instructions from the court on a claim for funeral expenses filed after the filing deadline. There has been no request for permission to file a late claim. Claims for funeral expenses must be filed in the same manner as other claims. See C.E.B. Decedent Estate Practice § 12.34. The court does not have the power to allow the filing of a late claim in the absence of the showing required by Pr. C. § 9103. However, a personal representative does have the power to allow the filing of a late claim under Pr. C. § 10552(d).
2. There are 18 claims filed in this case. Petitioner has taken no action on any of them. Petitioner indicates an intent to attempt to negotiate the claims. Petitioner contends that he should be able to get this done within the next 7 months that he is requesting as a continuance. It should be noted that this case was opened in 1996.

3. Petitioner requests that the court reserved on issues of fees and costs allowable until the time of the final.
4. The estate property has finally been sold. The property was subject to a FTB lien of in excess of \$52,000. It appears that now that this issue has been resolved the petitioner will begin to resolve the issues concerning creditor's claim.
5. There was an unauthorized disbursement to Vincent Donald Palmieri by National Consumers Finance Co. via a deed of trust on estate real property as security for a loan advance to Vincent in the amount of \$11,128.18. Petitioner contends collectability or offset is uncertain. In light of the costs of administration and outstanding creditors' claims it is not likely that Vincent's share of the estate, if any, will cover this amount.
6. Petitioner requests a 7 month continuance to complete the administration of the estate. If the court grants this request set hearing re next accounting for 5-18-04.

RECOMMENDATION:

Set O.S.C. re removal. Notice counsel and administrator.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS01431

CASE NAME: GUADALUPE G DEL CASTILLO

HEARING:

Hearing Re: MOTION BY RBT DEL CASTILLO FILED 9/10/01/ACCTING.

COUNSEL:

ALICE DEL CASTILLO (PET)...PRO/PER
GUADALUPE G DEL CASTILLO (DEC)...
ALBERT DEL CASTILLO (PET)...SKOUSEN & SKOUSEN
ROBERT DEL CASTILLO (PET)...JAMES V REISS
PATRICIA A LOBELLO (SA)...SACKS GLAZIER FRANKLIN & LODIS
AMERICAN CONTRACTOR'S INDEMNIT(OBJ)...LANAK & HANNA

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON petition to disqualify Robert James Skousen and to require him to disgorge fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. It would appear that we are down to that portion of the petition dealing with disgorging attorney fees. The attorney has filed an accounting that includes attorney fees.
2. Additional objections have been filed to this accounting and to the attorney fees.
3. Attorney for Albert Del Castillo has asked the court to take judicial notice of the stipulation and order thereon signed by Judge King on 10-15-01. See purple tab in volume 8. It would appear that the only thing that the stipulation stated was that upon the filing of a verified accounting by Albert Del Castillo the petition for disqualification of Skousen would be dismissed. In does not refer to any other action.

RECOMMENDATION: The information contained within the papers requesting disgorging of fees is not specific enough for the court to rule on. I have marked with a green tab the

items listed. Petitioner lists only 6 items and then says, "There are countless other instances of inappropriate and excessive billing". Court can either require moving party to set out each fee that they feel is inappropriate and indicate why or merely set the matter for trial and have counsel do a prove up.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS01431

CASE NAME: GUADALUPE G DEL CASTILLO

HEARING:

Hearing Re: PETITIONER FOR REFORM TRUST (2/7/03) BY P LOBELLO.

COUNSEL:

ALICE DEL CASTILLO (PET)...PRO/PER
GUADALUPE G DEL CASTILLO (DEC)...
ALBERT DEL CASTILLO (PET)...SKOUSEN & SKOUSEN
ROBERT DEL CASTILLO (PET)...JAMES V REISS
PATRICIA A LOBELLO (SA)...SACKS GLAZIER FRANKLIN & LODIS
AMERICAN CONTRACTOR'S INDEMNIT(OBJ)...LANAK & HANNA

GENERAL INFORMATION: Continued from 6-15-04. Nothing new filed.

THIS CASE IS SET FOR HEARING ON petition to reform trust.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The court overruled the demurrer on this matter.
2. On 4-6-04 the court indicated that objectors had until 4-7-04 to file objections and that moving party could file reply by 5-28-04.
3. As of 5-27-04 there were no objections filed.

RECOMMENDATION:

Set for evidentiary hearing to prove the matter up. This will comply with any due process requirements.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS01431

CASE NAME: GUADALUPE G DEL CASTILLO

HEARING:
OSC re: COMPLIANCE

COUNSEL:
ALICE DEL CASTILLO (PET)...PRO/PER
GUADALUPE G DEL CASTILLO (DEC)...
ALBERT DEL CASTILLO (PET)...SKOUSEN & SKOUSEN
ROBERT DEL CASTILLO (PET)...JAMES V REISS
PATRICIA A LOBELLO (SA)...SACKS GLAZIER FRANKLIN & LODIS
AMERICAN CONTRACTOR'S INDEMNIT(OBJ)...LANAK & HANNA

GENERAL INFORMATION: Continued from 6-15-04. Apparently the pro tem recused herself.

THIS CASE IS SET FOR HEARING ON O.S.C. re compliance with court order to supplement accountings.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The court ordered the documents filed by 5-17-04 and indicated that sanctions of \$500 per week would be charged for each week thereafter that they were not filed. Documents were filed on 5-17-04.
2. There is no opposition to the new filings at the time of this review.
3. The supplemental accountings deal primarily with the attorney fee paid and assets received on behalf of the estate.

RECOMMENDATION:

It would still appear that the overall accountings are contested and matter should be set down on the contested calendar.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS01895

CASE NAME: E. BETTY C. HILL

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
WAYNE D BLANTON (PET)...BANKS AND STRATHMAN
E BETTY C HILL (DEC)...

GENERAL INFORMATION: continued from 2-3-04 and 5-4-04. A status report was filed. Court ordered a duplicate of the status report to be filed in file RPR 02077. Court indicated that the continuance from 5-4-04 would be the last continuance. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed. The clerk has given notice.
2. A status report has been filed. The report does not address the issue of the inventory and appraisal and does not have proper notice in accord with Pr. C. § 12201.

RECOMMENDATION:

Suggest the court suspend powers and set the matter for an O.S.C. re failure to file required documents. Issue a citation and have it personally served on the administrator.

SEE ALSO RPR 02077

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02067

CASE NAME: ROSEMARY F MARQUES

HEARING:
2ND and Final Account and Report.

COUNSEL:
DEBORAH ANN SANCHEZ (PET)...PATRICK J ROGERS
ROSEMARY F MARQUES (DEC)...
SANDRA M PINEDO (TEE)...WILKINSON & WILKINSON

GENERAL INFORMATION covers 6-16-03 through 3-31-04. This is an account of a trust.

THIS CASE IS SET FOR HEARING ON 2nd and final account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The "A" trust property on hand on 6-15-03 in the current accounting does not agree with the property on hand per the first accounting in reference to property on hand on 6-15-03. The figure is off by \$1,492.66. See purple tab in file.
2. Petitioner, Sandra Pinedo, alleges that she put in 100 hour of work on the trust and requests that she be compensated at a rate of \$25 per hour for a total of \$2,500.
3. The 2 primary beneficiaries were both named as successor co-trustees. However, toward the end Sandra Pinedo took over most of the duties. There are also 3 minor beneficiaries. Each of them will receive a \$20,000 education trust. It appears that even if all requests for fees and reimbursements are paid the minors will still get their share in that the "B" trust has adequate assets.
4. Each of primary beneficiaries purchased a property of the trust. They ask that they be reimbursed for the seller's costs. Sanchez requests \$2,822.19 and Pinedo requests \$12,338.82.
5. Attorney requests fees of \$3,353.25 representing 1.7 hours at \$250/hr. and 34.45 hours at \$85 per hour for paralegal. Amount is itemized. Co-trustee incurred attorney fees of \$3,925. This amount is not itemized.

6. Copies of investment account statements verifying the balance of cash or securities shall be filed with all inventories and/or accountings. Please file those documents.
7. Other than as previously mentioned accounting looks ok.

RECOMMENDATION:

Recommended for approval absent objection and subject to number 6.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02067

CASE NAME: ROSEMARY F MARQUES

HEARING:
OSC re: DISMISSAL (SETTLED)

COUNSEL:
DEBORAH ANN SANCHEZ (PET)...PATRICK J ROGERS
ROSEMARY F MARQUES (DEC)...

SANDRA M PINEDO (TEE)...WILKINSON & WILKINSON

GENERAL INFORMATION This matter went off calendar. See preceding page.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02077

CASE NAME: BLANTON FAMILY TRUST 06/21/99

HEARING:
Petition for ACCOUNTING AND INSTRUCTIONS TO TRUSTEE TO DISBURSE
ASSETS

COUNSEL:
MARK W HILL (PET)...MARK J TUNDIS
WAYNE BLANTON (TEE)...JAMES BANKS JR

GENERAL INFORMATION Continued from 9-23-03, 1-13-04 and 5-4-04. At the direction of the court the petitioner has filed a status report. This report was filed on 5-6-04. The petitioner indicated that they were still in the discovery phase of this case and that the discovery produced to date has led to the need for more discovery. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting and instructions.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Trustee contends that there are in fact 2 trusts. He contends that a good deal of assets were transferred outside the trusts before he became trustee and this was done without adequate consideration. He therefore accounts only for the assets that have come into his possession since he became trustee. The accounting presented covers 1-1-01 through 9-30-02. This would not be an account current.
2. Accounting is in the proper format.
3. There is no opposition in the file at this time.

RECOMMENDATION:

It is not known how much additional time counsel will need.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02121

CASE NAME: YIH HSIUNG CHEN

HEARING:
Petition for FOR FINAL DISTRIBUTION ON SUMMARY OF ACCT, AND FOR
ALLOWANCE OF STATUTORY FEES

COUNSEL:
MEIFANG LAI (PET)...ABRAHAM C LIAO
YIH HSIUNG CHEN (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON first and final report and account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service.
2. Copies of investment account statements verifying the balance of cash or securities shall be filed with all inventories and/or accountings. Please file those documents.
3. Statutory fees are \$15,799.14 not \$16,999.14 as alleged.
4. There is a request to withhold \$30,000 for taxes and fees.
5. There is a request to withhold \$50 in closing costs.
6. The accounting indicates that \$1,000 was paid to counsel for costs. Please provide itemization.
7. Petitioner indicates that the heir cannot be found and requests permission to deposit assets with the County Treasurer. This is permissible.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of receipts and discharge for 8-2-05.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02167

CASE NAME: MARGARET ARRETT

HEARING:
FIRST ACCT CURRENT & REPORT

COUNSEL:
PAMELA L EINSPAHR (PET)...EDWARD S INOUE
MARGARET ARRETT (DEC)...

GENERAL INFORMATION This is really a status report and account.

THIS CASE IS SET FOR HEARING ON status report and accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Counsel requests that he receive 80% of his statutory fees now and the other 20% upon the approval of the final accounting. As a general rule the court does not approve more than 50% as a preliminary payment of fees.
2. Petitioner requests a reserve of \$10,500 to cover any further expenses of the administration. This request is made because the petitioner is requesting authority to distribute \$266,421 of the estates \$283,863. This is generally not approved. Court will generally not approve preliminary distribution of more than 50% of the estate's net assets. Suggest the court not allow distribution of more than \$133,210.50.
3. The estate is not in a condition to close due to tax problems.
4. File notice of hearing and proof of service.

RECOMMENDATION:

Allow preliminary distribution of 50% of statutory fees and 50% of the net assets of the estate. Estate is not in a condition to close. Set hearing for the next status and/or accounting for 8-2-05. Any accounting to be filed 30 days in advance. Estate to remain open until that time.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02218

CASE NAME: SHEILA DIANE MCFARLANE

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:
ROBERT D MCFARLANE (PET)...STAPLETON & STAPLETON
SHEILA DIANE MCFARLANE (DEC)...
DONALD JOSEPH MEDINA JR (PET)...VICTORIA P STAPLETON

GENERAL INFORMATION No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02227

CASE NAME: MIGUEL VILLARREAL

HEARING:
Accounting Review

COUNSEL:
NATALIA LIZARRAGA (PET)...BEATRICE L LAWSON
MIGUEL VILLARREAL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. There is a declaration in the file. I cannot tell if this is supposed to be a status report, as it is merely labeled declaration. If it is a status report then it should be so labeled.
2. Assuming the document filed was supposed to be a status report, file notice of hearing and proof of service in accord with Pr. C. § 12201. Whenever a status report is filed without an accounting notice must indicate a right to an accounting in accord with Pr. C. § 10950. This form of notice is mandatory.
3. Estate is not in a condition to close due to the fact that the wrongful death action has been removed to the federal court.

RECOMMENDATION:

Assuming that this is a status report and that proper notice is completed, set hearing for the next status report and/or accounting for 8-2-05. Any accounting to be filed 30 days in advance. Estate to remain open until that time.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02299

CASE NAME: RAYMOND M MANN

HEARING:
FIRST and Final Account and Report.

COUNSEL:
MARY R MANN (PET)...THOMAS W SARDONI
RAYMOND M MANN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON first and final account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Summary of account does not balance. It is off by \$743.29.
2. File a graduated filing fee adjustment schedule in accord with California Rule of Court, Rule 7.552(f).
3. Statutory fees are \$8,500. How is attorney to be paid? There are no liquid assets.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of receipts and final discharge order for 8-2-05.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02334

CASE NAME: THERESA IOVINE

HEARING:
Waiver of account and for final distribution.

COUNSEL:
MICHAEL J HARDEN (PET)...JAMES D PALMER JR
THERESA IOVINE (DEC)...

GENERAL INFORMATION: No file available for review.

GENERAL INFORMATION No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02347

CASE NAME: KATHY SHEN

HEARING:
Hearing re: Inventory and appraisal

	COUNSEL:
SANDRA SHEN	(PET)...JOHN L SHAW
KATHY SHEN	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed. The clerk has given notice.

RECOMMENDATION:

Suggest the court suspend powers and set the matter for an O.S.C. re failure to file required documents and sanctions. Issue a citation and have it personally served on the administrator.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02353

CASE NAME: DORIS MARIE JEFFERIS

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
BARBARA R JEFFERIS (PET)...VARNER, SALESON & BRANDT LLP
DORIS MARIE JEFFERIS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Only a partial inventory and appraisal filed. When will final be filed?
2. File property tax certificate.

RECOMMENDATION:

Determine when final will be ready for filing and set control date.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02355

CASE NAME: HELEN L BIRCKLINE

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
NICHOLAS HARDING (PET)...HOWARD R HAWKINS
HELEN L BIRCKLINE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed. The clerk has given notice.

RECOMMENDATION:

Suggest the court suspend powers and set the matter for an O.S.C. re failure to file required documents and sanctions. Issue a citation and have it personally served on the administrator.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02356

CASE NAME: COLLEEN M CHERASIA

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
SHARON MOREY (PET)...THOMAS J GAFNEY
COLLEEN M CHERASIA (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has been filed.

RECOMMENDATION:
Matter may to off calendar.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02357

CASE NAME: APOSTOLOS GEORGE GOFAS

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
GENINE R BEST (PET)...RUSSELL P NOWELL
APOSTOLOS GEORGE GOFAS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed. The clerk has given notice.

RECOMMENDATION:

Suggest the court suspend powers and set the matter for an O.S.C. re failure to file required documents and sanctions. Issue a citation and have it personally served on the administrator.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02358

CASE NAME: ***MF*** JEANNE MARIE FLYNN

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:
EILENE M DEROSE (PET)...ROBERT L KERN
JEANNE MARIE FLYNN (DEC)...
KELLI A LINDSTROM (PET)...ALLAR, SHELTON & O'CONNOR

GENERAL INFORMATION: No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02358

CASE NAME: ***MF*** JEANNE MARIE FLYNN

HEARING:
Mandatory Settlement Conference

COUNSEL:
EILENE M DEROSE (PET)...ROBERT L KERN
JEANNE MARIE FLYNN (DEC)...
KELLI A LINDSTROM (PET)...ALLAR, SHELTON & O'CONNOR

GENERAL INFORMATION: No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02359

CASE NAME: STELLA MEDELLIN

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
JESSE MEDELLIN JR (PET)...LAW OFFICES OF FORREST F WOLFE
MARY ANGELITA BURROS (PET)...LAW OFFICES OF FORREST F WOLFE
STELLA MEDELLIN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed. The clerk has given notice.

RECOMMENDATION:

Suggest the court suspend powers and set the matter for an O.S.C. re failure to file required documents and sanctions. Issue a citation and have it personally served on the administrator.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02410

CASE NAME: DIANE C CLARK

HEARING:
Petition for TERMINATION OF PROCEEDINGS AND FOR DISCHARGE OF
SPECIAL ADMINISTRATOR

	COUNSEL:
KEITH S WALKER	(PET)...PRO/PER
DIANE C CLARK	(DEC)...

GENERAL INFORMATION No file available for review.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02465

CASE NAME: MARJORIE E BRYANT

HEARING:
Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:
LIONEL BRYANT (PET)...PRO/PER
MARJORIE E BRYANT (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File proof of publication.
2. Will waives bond.

RECOMMENDATION:

Recommended for approval subject to number 1. Set hearing for filing of inventory and appraisal for 12-7-04. Set hearing for filing of status report and/or accounting for 8-2-05. Any accounting to be filed 30 days in advance.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02466

CASE NAME: VALERIA LEA CARPENTER

HEARING:
Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:
DENNIS G DOVER (PET)...H NEAL WELLS
VALERIA LEA CARPENTER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File proof of publication.
2. Will waives bond.

RECOMMENDATION:

Recommended for approval subject to number 1. Set hearing for filing of inventory and appraisal for 12-7-04. Set hearing for filing of status report and/or accounting for 8-2-05. Any accounting to be filed 30 days in advance.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02467

CASE NAME: PETER F COVAS

HEARING:
Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:
WILFRID C LEMANN (PET)...THOMAS W DOMINICK
PETER F COVAS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File proof of publication.
2. Will waives bond.

RECOMMENDATION:

Recommended for approval subject to number 1. Set hearing for filing of inventory and appraisal for 12-7-04. Set hearing for filing of status report and/or accounting for 8-2-05. Any accounting to be filed 30 days in advance.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02468

CASE NAME: FRANCIS AND JUNE WUCHERPFENNIG

HEARING:

Petition for FOR REMOVAL OF TRUSTEE FOR BREACH OF TRUST, AN
ACCTG, APPT OF SUCCESSOR TRUSTEE

COUNSEL:

PATRICK N WUCHERPFENNIG (PET)...CAROL A CROW
THERESA BARTOL (PET)...CAROL A CROW
DAVID WUCHERPFENNIG (PET)...CAROL A CROW
CHARLES F WUCHERPFENNIG (PET)...CAROL A CROW
STEVEN WUCHERPFENNIG (PET)...CAROL A CROW
FRANCIS C WUCHERPFENNIG (DEC)...
JUNE A WUCHERPFENNIG (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON petition for removal of trustee, accounting and appointment of successor trustee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service in accord with the requirements of Pr.C. § 17203.
2. Petitioner alleges that the current trustee failed to marshal assets, misappropriated assets, wasted assets and failed to properly account on demand to account.
3. There is no opposition in the file at the time of this review.

RECOMMENDATION:

Require proper notice.

Rancho Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE COMMISSIONER JOHN A CRAWLEY

DATE: 07/20/04 TIME: 10:30 DEPT: R17P

CASE #: RPRRS02469

CASE NAME: LYNDA G SHIFLETT TRUST

HEARING:
Petition for DETERMINE VALIDITY OF PURPORTED TRUST & TO IMPOSE
CONSTRUCTIVE ALTERNATIVE

COUNSEL:
LEONARD SHIFLETT (PET)...CLAYSON, MANN, YAEGER & HANSEN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to determine validity of trust, impose constructive trust, or in the alternative remove the trustee, appointment of a successor, accounting, damages and attorney fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition appears procedurally complete.
2. There is no opposition in the file at the time of this review.

RECOMMENDATION:

If no opposition filed by time of hearing set for default prove up.